

POLICY OF STATE OF DELAWARE DEPARTMENT OF CORRECTION	POLICY NUMBER 9.25	PAGE NUMBER 1 of 13
	RELATED ACA STANDARDS: 3-4212 Threats to Security 3-4167 Security Manual 3-4208 Emergency Plans	
CHAPTER: 9 Personnel, Training, & employee-Management Relations	SUBJECT: Emergency Preparedness & Response	
APPROVED BY THE COMMISSIONER:		
EFFECTIVE DATE:		
APPROVED FOR PUBLIC RELEASE		

I. AUTHORITY: 11 Del. Code 6504 and 6517

II. PURPOSE: In major emergency situations, the overriding concern of this agency will be the protection of the community. Staff actions will also be guided by a desire to save lives and prevent injuries whenever and wherever possible. Even under emergency conditions, staff will attempt to maintain and/or restore humane conditions of incarceration.

III. APPLICABILITY: All Department employees and contractual employees.

IV: DEFINITIONS

- A. **Central Office:** 245 McKee Road, Dover and more specifically the authority vested in those working there, i.e., the Commissioner, Deputy Commissioner, and various Bureau Chiefs.
- B. **Central Office Emergency Operations Center (EOC):** The EOC is the place from which the Commissioner et al support any institution/facility having an emergency. The emphasis is on the Commissioner's ability to communicate with whomever is necessary during a major emergency.
- C. **Central Office emergency Operations Center (EOC) Plan:** The processes and procedures by which the EOC will provide support to institutions/facilities during a major emergency.
- D. **Central Office Emergency Plan:** The processes and procedures enacted when there is a fire or other emergency at the Central Office.
- E. **Director of Emergency Preparedness:** The person responsible for the Department's level of readiness for emergency situations.
- F. **Major Emergency:** Any life threatening event at any institution or facility requiring the mobilization of any resources for resolution. A suicide is a finished act and although it has tragic consequences, is not a major emergency.

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V. Goals:

A. The goals of the DOC Emergency Preparedness are to:

1. Isolate and contain emergencies as quickly as possible;
2. Establish control and restore order as quickly as possible;
3. Maintain personal safety for: staff, visitors and offenders;
4. Minimize the impact of the emergency situation on the rest of the institution;
5. Resolve violent or potentially violent emergencies without force when possible and with minimal necessary force when the use of force is imperative; and
6. Prevent escapes during emergency operations.

VI: POLICY:

A. Role of Central Office:

1. In the event of a major emergency at any institution within the Department, Central Office shall:
 - a. Establish an Emergency Operations Center (EOC);
 - b. Provide logistic support and other assistance to the effected institution;
 - c. Monitor the course of the emergency;
 - d. Notify and update other institutions within the Department; and
 - e. Maintain liaison with the Governor's Office, the State Legislature and other involved State agencies.
2. The Central Office shall maintain an EOC Plan specifying how the Central Office EOC shall operate. Central Office staff shall be familiar with, and trained to, this EOC plan.
3. In the event of an institutional emergency, the responsible Bureau Chief shall be immediately dispatched to the location. The Bureau Chief shall be a liaison between the Commander at the institution/facility and the Central Office EOC. The Bureau Chief shall not be in command of the emergency.

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4. The Central Office EOC plan shall be separate and distinct from the Central Office emergency plan, which shall deal with fire, natural disaster and other foreseeable emergency situations which might occur at Central Office itself.

B. Notification, Communication and Liaison:

1. In the event of a major emergency at an institution, the Shift Commander shall be responsible for notifying administrative staff, specialized emergency functions and the on-duty staff.
2. The Shift Commander shall notify and/or recall off-duty staff as necessary.
3. Local law enforcement, local fire departments and local troops of the State Police shall be notified of the emergency by the effected institution, and shall be kept apprised of the course of the emergency by the effected institution.
4. The Shift Supervisor shall notify the Central Office at the outset of any major emergency, and the person in command shall be responsible for ensuring that Central Office is kept updated on a frequent basis.
5. The Central Office EOC is responsible for notifying or updating other institutions within the Department, and other areas of state government.

C. Command:

1. Continuity of command
 - a. One and only one person shall be formally in command at all times.
2. Initial command
 - a. When an emergency is reported, the Shift Commander shall be the Initial Commander.
 - b. Each institution shall, on each shift, designate an Assistant Shift Commander. In the event that the Shift Commander is injured or unavailable at the outset of an emergency, the Assistant Shift Commander shall become the Initial Commander. The on-duty staff for that shift shall be made aware of the identity of the Assistant Shift Commander.

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3. Ultimate Command:
 - a. The Warden shall be the Ultimate Commander.
 - b. If the Warden is on leave or on travel status, the Acting Warden shall become the Ultimate Commander.
 - c. If the Warden or Acting Warden cannot be located during an emergency, then the next highest-ranking person in the emergency chain of command shall become the Ultimate Commander.
 - d. Once in command, the Ultimate Commander shall be in charge of the institution and the emergency until the situation is resolved, unless the emergency lasts so long that a command relief schedule must be established.

4. Interim Command:
 - a. If the Ultimate Commander is more than sixty minutes from the Institution when notified of the emergency, the next-highest ranking person in the emergency chain of command shall be notified and shall take command from the Initial Commander, and then relinquish it to the Ultimate Commander after his or her arrival.

5. Change of Command
 - a. This policy is intended to minimize the number of changes of command that may occur in a major emergency. Under most circumstances, there will be only one change of command in an emergency, i.e. from the Initial Commander to the Ultimate Commander. Under unusual circumstances, an Interim Commander may be utilized, and two changes of command are possible.
 - b. In an emergency, a change of command shall not occur without a thorough briefing for the person assuming command, and a log entry documenting the time at which the change of command occurs. If practical, there should also be a period of overlap after the briefing is completed, but prior to the new person assuming command. Also, if practical, an announcement shall be made to staff of the identity and location of the person assuming command.

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6. Authority of the Commander
 - a. During an emergency, the Commander has the full authority of the Warden.

7. Command Succession

- a. In an emergency, the succession to command includes the following positions, and only the following positions, in this order:
 - (1) Warden
 - (2) Deputy Wardens for Security
 - (3) Major
 - (4) Shift Commander
- b. The organization chart for each facility is not the same as the emergency command succession list. Some positions within the chain of command may not be included in the emergency command succession lists.

- D. Use of Force:

1. Following the distinctions in the Department's Use of Force policy between planned uses of force and reactive uses of force, only the Commander shall authorize a planned use of force during, or to resolve, a major emergency.
2. If an emergency dictates that sub-lethal force should be deployed or used, then the institution's Quick Response Team (QRT) should be utilized (to the extent practical).
3. In situations where a weapons assault, a hostage rescue, or other tactical and planned uses of lethal force may be necessary, the institution shall rely on the Department's Regional Correctional Emergency Response Team (CERT) (to the extent practical).
4. Any use of force in an emergency shall be in compliance with the Department's Use of Force policy.

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E. Public Information

1. During an institutional emergency, the Public Information Function shall include working with the media, local groups and communities, off-duty staff and staff families, uninvolved portions of the inmate population and rumor control.
2. Each institution shall have a designated Public Information Officer (PIO) and at least one alternate PIO, who will work in conjunction with and be subordinate to the Departmental PIO.
3. During a major emergency, final approval for the release of any public information rests solely with the Commander.
4. During an institutional emergency, the effected institution shall use a "one channel outward" procedure for public information, to the greatest extent possible. That is, all public information shall be released by, or through the efforts of, the Department's PIO and only after approval by the Commander.
5. In an emergency, and during its aftermath, staff is expressly prohibited from providing public information, giving interviews, responding to media, unless specifically authorized by the Commander. This policy provision is required for safety and security considerations, as the unauthorized release of information in an emergency situation can have life and death consequences. Staff members who are approached by media or by other individuals requesting information, opinions or background shall direct those individuals to the Public Information Officer, and shall, if necessary, explain that policy prohibits anyone except the Public Information Officer from releasing any information.
6. During and after a major emergency, the institutional PIO shall coordinate the release of public information with the Department PIO. Central Office shall be informed in advance of any information release (including, but not limited to, press releases, press conferences, interviews, etc.) and shall be afforded the opportunity for reaction to such planned release. The Departmental PIO and other Central Office administrators shall follow the general policy provisions above and shall not release information concerning the emergency without the prior approval of the Commander.

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F. External Agencies

1. The Central Office shall develop written agreements with each of the following outside agencies. Additional agencies may be added to this list if warranted by local circumstances.
 - a. Delaware State Police
 - b. County, City and Local Police Agencies
 - c. Nearby County, other State, Local, or Federal correctional institutions
 - d. National Guard
 - e. Delaware Emergency Management Agency (DEMA)
 - f. Local Fire Departments & Emergency Medical Service (EMS) Units
 - g. Telephone companies
 - h. Utility companies
 - i. Hospitals
2. Formal written agreements shall be used where possible. Where necessary, an informal but written memo of understanding may be substituted, or the agreements may be memorialized in a letter from the outside agency to the Director of Emergency Preparedness, and a corresponding letter from the Director of Emergency Preparedness to the outside agency. All written agreements shall be appropriately signed and dated.

Institutions/facilities will continue to maintain their existing agreements with local fire, EMS & police.
3. Each written emergency agreement shall include:
 - a. The services and equipment that may be furnished to the institution
 - b. Emergency contacts at the external agency, including twenty-four hour contacts, home phone numbers and pager numbers where possible
 - c. Any restrictions on the provision of services or equipment during emergencies
 - d. Reporting locations for the external agency staff
 - e. The manner in which institution staff will be able to identify the individual in command of the external agency staff, and the proposed liaison between that individual and the Commander during an emergency

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- f. Provision for review of the written agreement by the institution and the external agency on at least an annual basis, and provision for key external agency staff to tour the institution or otherwise familiarize themselves with potential emergency scenarios at the institution. The renewed agreement to be sent annually to the Director of Emergency Preparedness.
- g. Provision for external agency staff to participate in simulations, exercises or other emergency training at the institution.

G. Emergency Preparedness Training

- 1. All institution/facility staff at the rank of Shift Commander and above shall receive a minimum of thirty two hours of initial training on emergency preparedness. Such training shall be specifically designed for command-level staff. They shall also receive a minimum of eight hours per year of refresher training on emergency preparedness and related topics.
- 2. Supervisors and first-line staff shall receive a minimum of sixteen hours of initial training on emergency preparedness and a minimum of four hours of refresher training annually on emergency preparedness and related topics.
- 3. Hostage negotiators shall receive a minimum of forty hours of initial negotiation training, and shall receive a minimum of eight hours per month of refresher training after their initial training.
- 4. Institutional PIOs and assistant PIOs shall receive a minimum of twenty-four hours of initial training for their assignment, and shall receive a minimum of sixteen hours refresher training per year thereafter. Assistant PIOs shall receive a minimum of eight hours of initial training for their assignment, and shall receive a minimum of four hours annual refresher training thereafter.
- 5. As determined by the Commissioner all of the minimum training requirements in this section are subject to modification or elimination if budget, overtime or other administrative and operational factors render these criteria impractical.

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H. Emergency Coordinator

1. Each institution shall identify an Emergency Coordinator. This position shall be assigned at the level of Staff Lieutenant/Senior Probation Officer or above.
2. Institutional Emergency Coordinators shall be responsible for planning, coordinating and reviewing all aspects of the institution's emergency preparedness system. Their specific responsibilities will include, but not be limited to, reviewing emergency plans, conducting inspections and compliance checks, organizing and participating in emergency drills and assisting the Emergency Preparedness Director's reviews and updates of emergency policy and procedure.
3. The Department shall maintain an Emergency Preparedness Director at Central Office. This person shall review each institution's emergency plans, coordinate with the Institution Emergency Preparedness Coordinators, arrange or monitor both specialized and general emergency preparedness training, develop and review outside agency agreements and maintain the Central Office EOC plan.

I. Deviation from Policy:

1. In an emergency, only the Commander is authorized to order a deviation from any policy.
2. When ordered by a superior to take action which deviates from or violates policy, a staff member shall:
 - a. Inform the person giving the order that it violates Departmental policy.
 - b. If the superior officer indicates awareness that the order violates policy, but continues to order the action, the staff member shall immediately comply with the order and, when time allows, document the circumstances in writing.

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- c. Staff are reminded that there are some actions which are blatantly illegal on their face, and staff may be held criminally responsible for such actions, whether or not they were ordered to undertake them (for example, firing indiscriminately into an unruly crowd of inmates on an exercise yard when there is no imminent threat of loss of life, might well be a criminal act whether the staff member was ordered to undertake the action or not).

J. Evacuation:

1. Each institution shall maintain detailed plans for immediate, on-site evacuation from buildings in the event of life-threatening situations such as fire.
2. Each institution shall also develop and maintain detailed plans for both immediate and gradual evacuation off-site (off compound) for situations in which the facility is badly damaged or destroyed, or the compound may experience life-threatening conditions (such as a toxic chemical spill). Any evacuation will be coordinated with the Central Office if at all possible.
3. In the event that a DOC facility has insufficient staff to follow this policy during a major emergency, such facility will contact one of the following:
 - a. local law enforcement if there exists a written MOU with that agency
 - b. the nearest major DOC prison
 - c. the DOC Central Office
4. Each institution shall also maintain detailed plans for a "defend-in-place" or "safe harbor" strategy for life-threatening situations in which evacuation off-site is impossible (tornado, approaching toxic cloud, etc.)
5. All evacuation plans shall address necessary separation of special population inmates (segregation, protective custody, etc.), as well as special procedures needed for other groups of inmates with special needs (medical, geriatric, physically disabled, etc.).
6. Off-site evacuation plans shall include identification of receiving sites and plans for supply lines and essential services (security, food, medical, etc.).

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7. Off-site evacuation plans and defend-in-place plans shall include provisions for maintaining security of all highly confidential documents or information within the institution. Where such documents or information cannot practically be moved with staff, plans shall include provisions for its destruction. Destruction of records must receive prior approval from the appropriate Bureau Chief.
8. Off-site evacuation plans shall include provisions for security of the institution/facility after evacuation and for re-entry of the facility when the emergency is over.

K. Hostage Situations:

1. A staff member taken hostage has no authority, regardless of his or her rank.
2. Decision-makers shall not negotiate directly.
3. The following items are non-negotiable:
 - a. Weapons
 - b. Freedom/Escape
 - c. Additional hostages
 - d. Transportation

L. Employee Job Action:

1. Each institution shall maintain an appendix to its generic emergency plan for responding to a strike or other employee job action.
2. The appendix containing the job action plan shall be maintained separately from the generic emergency plans. The Wardens and their senior executive staff shall review and maintain familiarity with this appendix, but access and review of the job action plan shall be limited to these positions.

M. Community Assistance

1. In the event of a community disaster or emergency in which this agency's correctional institution(s) are unaffected or experience only relatively minor problems, it is the policy of this agency that its staff and correctional institution(s) shall provide assistance to the surrounding community to the greatest extent practical.

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2. The primary limitations upon such community assistance during a community disaster or emergency shall be considerations of public safety and institutional security. We will not provide disaster relief or other forms of community assistance in cases where that assistance would create unacceptable risks to public safety, and we will not provide such emergency services where they would create unacceptable risks to institutional integrity and security. However, public safety and institutional security considerations shall not be used as automatic barriers to all possible forms of community assistance and every situation and every potential type of community assistance shall be carefully evaluated on a case by case basis, carefully weighing need, potential benefits and potential risks.
3. Although specific emergency situations in the community cannot be foreseen, some types of emergencies are more likely than others. Further, this agency's resources, equipment, services, etc. are relatively stable over time and it is possible to plan in very general terms about the kinds of manpower, equipment and services that might be made available to the community. Thus, it is the policy of this agency that its institution(s)/facility(ies) plan proactively to provide community assistance during community emergencies, and that this planning be reflected in each institution's emergency plans and manuals.
4. Community assistance could include inmate work crews, institutional equipment, supplies, emergency food, shelter, and/or staff technical assistance. There are other ways however, in which we may be able to help the surrounding community during an emergency or disaster and it is our intent to be creative and proactive in this regard.

N. Emergency System

1. Each institution's emergency system shall be reviewed and audited on an annual basis by a three-person team including two individuals from other institutions and the institution's Emergency Preparedness Coordinator.

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2. Each institution shall conduct a minimum of two tabletop emergency exercises per year and at least one full-scale simulation biannually to test its emergency systems. Full-scale simulations will always include specialized staff and external agency staff. Both full-scale simulations and tabletop exercises will be evaluated, in writing, including recommendations for changes in procedure, equipment, etc. Full-scale simulations shall include staff from other institutions and/or Central Office as monitors/evaluators.

3. Each institution/facility shall develop and maintain its own emergency plans in the format specified by the Department. These plans must be reviewed by the Department's Emergency Preparedness Director and the appropriate Bureau Chief, and then formally approved by that Bureau Chief. This review and approval process applies both initially when the institutional plans are first developed and for an annual review and re-approval.